

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of)
)
Billed Party Preference)
for 0+ InterLATA Calls)

CC Docket No. 92-77

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

INITIAL COMMENTS OF BELL ATLANTIC

The Commission has before it another version of the proposal that MCI and other interexchange carriers have been advancing at least since 1986 to require that consumers making operator-assisted interLATA calls dial access codes to select their interexchange carrier. Bell Atlantic¹ urges the Commission to reject it, as the Commission has in the past.² Instead, the Commission should accelerate the unblocking of 10XXX dialing and require all calling card issuers to educate their cardholders about the proper way to reach them.

In the latest incarnation, these interexchange carriers want to require that consumers who choose to use CIID-format calling cards issued by AT&T must always dial access codes to reach

¹ The Bell Telephone Company of Pennsylvania, the four Chesapeake and Potomac telephone companies, The Diamond State Telephone Company and New Jersey Bell Telephone Company.

² In 1986, MCI wanted to impose 10XXX dialing on all interLATA operator traffic from public phones so that AT&T would not have a "substantial and unjustified competitive advantage." In the Matter of Access to Universal Interexchange Carrier Operator Code ("00") From Public Telephones, MO&O ¶ 15 (rel. April 29, 1986). The Commission correctly declined to do so.

When MCI tried its plan on the decree court, the court rejected it too, finding that it "would be a gross inconvenience to the public" *United States v. Western Elec. Co.*, 698 F. Supp. 348, 362 (D.D.C. 1988).

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AT&T.³ They would make callers dial these extra digits even where the line from which the call is made is presubscribed to AT&T. Bell Atlantic believes that AT&T's practices in marketing its CIID cards have been misleading and unfair.⁴ However, Bell Atlantic does not believe that consumers should have to pay for the sins of AT&T.

Access code dialing adds from five to eleven digits to the number a caller must dial.⁵ It increases the likelihood of dialing mistakes and the necessity to re-dial. These added burdens should not be imposed on the public without some countervailing public benefit.

The interexchange carriers' plan would not merely be a minor inconvenience for a handful of consumers. The Commission estimates that approximately half the interLATA calls from public phones are made by callers presubscribed to AT&T from stations presubscribed to AT&T.⁶ This is more than 85 million calls per year from Bell Atlantic payphones, and there must be millions more such calls from hotels, universities, hospitals and similar

³ Notice of Proposed Rulemaking ¶ 42 (rel. May 8, 1992) ("Notice").

⁴ See Bell Atlantic's Response to Comptel's Motion Concerning CIID Calling Cards, Dkt. No. 91-115 (Feb. 10, 1992); Bell Atlantic's Response to AT&T's Direct Case, DA 91-1583 (Feb. 27, 1992).

⁵ The five-digit Feature Group D access code (10XXX) will become seven digits (101XXXX) in 1995 with the expansion to a four-digit carrier identification code.

⁶ Notice at 9 n.25.

stations.⁷ If callers use the AT&T CIID card for only twenty-five percent of these calls, the proposal being considered by the Commission would require consumers to needlessly dial access codes on more than 20 million calls a year from Bell Atlantic payphones alone and on millions more calls from other phones. The Commission should not make consumers spend thousands of extra hours per year dialing Bell Atlantic payphones where there is no offsetting benefit to them or to interexchange competition.

In addition to harming consumers, this proposal would also hurt Bell Atlantic and other exchange carriers. If AT&T trains its customers to dial access codes in order to use their AT&T calling card, callers will automatically dial those codes on intraLATA toll calls as well. Based upon the current rate that callers are using CIID cards to charge intraLATA calls, Bell Atlantic stands to lose in excess of \$20 million intraLATA operator-assisted call revenues.

There are other steps the Commission can take to deal with the perceived problem. First, interexchange carriers complain that they are receiving calls that they must turn back because they cannot honor AT&T's calling card. One of the reasons these carriers get these calls to begin with is that many public telephones still block 10XXX dialing, and AT&T's customers simply cannot reach their chosen carrier. Hastening the unblocking of

⁷ Bell Atlantic does not keep track of the number of calls from these aggregator locations.

aggregator phones will mean that the other carriers will have to handle fewer calls destined for AT&T.

Second, the Commission should require that every carrier that issues calling cards educate its cardholders about how to use its cards and about other card billing options. These materials should advise that aggregators are required to post signs disclosing the presubscribed carrier. Carriers should instruct their cardholders to read the signs and should tell them how to dial the carrier when the line is not presubscribed to it. Card issuers should also be required to advise customers that calling cards issued by their local exchange carrier can be used on a 0+ basis from virtually all telephones.

For these reasons, Bell Atlantic urges the Commission not to require that all calls charged to a proprietary card be dialed with an access code.

Respectfully submitted,


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Dated: June 2, 1992

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Initial Comments of Bell Atlantic" was served this 2nd day of June, 1992, by delivery thereof by first class mail, postage prepaid, to the parties on the attached list.



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